

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

HERB LANCASTER	§	
	§	
V.	§	CIVIL ACTION NO 2:17-CV-00293
	§	
UTILITY SERVICE CO., INC. and	§	
TANKEZ COATINGS, INC.	§	

**APPENDIX TO DEFENDANT TANKEZ COATINGS, INC.'S
MOTION FOR FINAL SUMMARY JUDGMENT/MOTION TO DISMISS**

Pursuant to Local Rule 7.1, TankEZ Coatings, Inc. files this Appendix to its Motion for Final Summary Judgment/Motion to Dismiss.

<u>Exhibit</u>	<u>Description</u>	<u>Page Number</u>
1	Plaintiff's First Amended Complaint and live pleading.	001 - 013
2	Expert report of Plaintiff's expert, Travis Wells, P.E. dated October 31, 2018.	014 - 032
3	Subcontract agreement between Defendants Tank and USCI dated May 5, 2014.	033 - 041
4	USCI Service Request with customer, City of Aransas Pass, TX, which is an addendum to the subcontract.	042 - 052
5	USCI Purchase Order with Tank, which is an addendum to the subcontract.	053
6	Excerpts from the deposition of USCI superintendent, Jimmy Asher.	054 - 070
7	Excerpts from the deposition of USCI corporate representative, Kirt Ervin.	071 - 083
8	Excerpts from the deposition of Tank corporate representative, Antonio Ramirez Landaverde.	084 - 096

9	Agreement between all counsel in this lawsuit on the record at Kirt Evan's deposition.	097 - 104
10	Expert report of USCI's expert, William Mazur, P.E., dated December 3, 2018.	105 - 133
11	Affidavit of Miguel Flores, secretary of Tank.	134
12	Affidavit of Bryan D. Wendt, attorney for Tank.	135 - 136

Respectfully submitted,

Burt Barr & Associates, L.L.P.

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**ATTORNEYS FOR DEFENDANT,
TANKEZ COATINGS, INC.**

CERTIFICATE OF SERVICE

I certify that the foregoing document was served on all counsel of record of all parties to the above cause on December 20, 2018 pursuant to FRCP Rule 5(b)(1) and Local Rule 5.1d and 5.3 by electronic means and by certified mail return receipt requested.

/s/ Bryan D. Wendt
Bryan D. Wendt